

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: REMBRANDT TECHNOLOGIES,
LP PATENT LITIGATION,

MDL Docket No. 07-md-1848 (GMS)

MOTOROLA, INC., CISCO SYSTEMS,)
INC., SCIENTIFIC-ATLANTA, INC., ARRIS))
GROUP, INC., THOMSON, INC., AMBIT))
MICROSYSTEMS, INC., and NETGEAR,))
INC.,))

Plaintiffs,

V.

REMBRANDT TECHNOLOGIES, LP,

C.A. No. 07-752 (GMS)

Defendant.

REMBRANDT TECHNOLOGIES, LP, and)
REMBRANDT TECHNOLOGIES, LLC d/b/a)
REMSTREAM,)

Counter-Plaintiffs,

V.

MOTOROLA, INC., CISCO SYSTEMS, INC., SCIENTIFIC-ATLANTA, INC., ARRIS GROUP, INC., THOMSON, INC., AMBIT MICROSYSTEMS, INC., NETGEAR, INC., TIME WARNER CABLE, INC., TIME WARNER CABLE, LLC, TIME WARNER NEW YORK CABLE, LLC, TIME WARNER ENTERTAINMENT COMPANY, LP, COMCAST CORPORATION, COMCAST CABLE COMMUNICATIONS, INC., CHARTER COMMUNICATIONS, INC., CHARTER COMMUNICATIONS OPERATING, LLC, COXCOSM, INC., COX COMMUNICATIONS, INC., COX ENTERPRISES, INC., CSC HOLDINGS,

INC., CABLEVISION SYSTEMS)
 CORPORATION, ADELPHIA)
 COMMUNICATIONS CORPORATION,)
 CENTURY-TCI CALIFORNIA)
 COMMUNICATIONS, LP, CENTURY-TCI)
 HOLDINGS, LLC, COMCAST OF)
 FLORIDA/PENNSYLVANIA, LP (f/k/a)
 PARNASSOS, LP), COMCAST OF)
 PENNSYLVANIA II, LP (f/k/a CENTURY-)
 TCI CALIFORNIA, LP), PARNASSOS)
 COMMUNICATIONS, LP, ADELPHIA)
 CONSOLIDATION, LLC, PARNASSOS)
 HOLDINGS, LLC, and WESTERN NY)
 CABLEVISION, LP,)
)
 Counter-Defendants.)

STIPULATION AND ORDER

WHEREAS on January 16, 2008, Rembrandt Technologies, LP and Rembrandt Technologies, LLC d/b/a Remstream (collectively, “Rembrandt”), in its Answer to the Complaint in C.A. No. 07-752 (GMS), asserted counterclaims for patent infringement against certain Time-Warner, Comcast. Charter, Cox and Cablevision entities (collectively, “the MSOs”) (D.I. 47);

WHEREAS, on February 7 and 8, 2008, the MSOs responded to those counterclaims (D.I. 75-78 and 83);

WHEREAS, on February 27, 2008, Rembrandt filed replies in C.A. No. 07-752 (GMS) (D.I. 95-98 and 100), which added patent infringement counterclaims against additional Time-Warner and Comcast entities (D.I. 97 and 100);

WHEREAS, pursuant to a stipulation and order filed on April 11, 2008 (D.I. 144) and granted on April 18, 2008, Rembrandt filed amended replies including patent infringement counterclaims against the MSOs on May 5, 2008 (D.I. 188-192);

WHEREAS, pursuant to a stipulation and order filed on April 11, 2008 (D.I. 146) and granted on April 18, 2008, the plaintiffs filed an Amended Complaint in C.A. No. 07-752 (GMS) on May 2, 2008 (D.I. 179);

WHEREAS, on May 2, 2008, the MSOs filed replies to Rembrandt's counterclaims for patent infringement included in D.I. 144 and 188-92 (D.I. 183-187) which were then incorporated by reference on May 22, 2008 in D.I. 217-19 and 223-224;

WHEREAS, on May 5, 2008, in its Answer to the Amended Complaint (D.I. 179), Rembrandt re-asserted counterclaims for patent infringement against the MSOs (D.I. 193);

NOW, THEREFORE, in order to avoid further submission of duplicative pleadings regarding Rembrandt's counterclaims for patent infringement and unnecessary complexities in the state of those pleadings, it is hereby stipulated by the parties, subject to the approval of the Court, that the MSOs' May 2, 2008 amended responses to Rembrandt's counterclaims (D.I. 183-187) are incorporated by reference as responses to Rembrandt's counterclaims for patent infringement contained in D.I. 193 and that the MSOs are not required to file further responses to those counterclaims.

CONNOLLY BOVE LODGE & HUTZ LLP

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*Co-Liaison Counsel for All Parties
Other Than Rembrandt*

IT IS SO ORDERED, this ____ of _____, 2008.

Chief Judge, United States District Court